THE STATE CAPITAL.

Excitement in Albany Over the Charter.

Governor Hoffman the Hope of the Seventy Solons.

LOOKING FOR A VETO.

Only One Word, Mr. Governor-Sign.

Will the Days of Grace Be Utilized by the Court of Appeals?

VANDERBILT'S RAPID TRANSIT SCHEME.

A New Project Submitted to the People-The Citisens to Take the Construction Into Their Own Hands-A Place for Messrs. Green and Van Nort-A Three Cent Fare from the Battery to Harlem.

THE BROADWAY WIDENING DECISION

Report of the Miller Investigating Committee.

ALBANY, April 19, 1872. Speculation is rife as to what the Governor will do with the Committee of Seventy's charter, which was to-day sent to him for his consideration. It is a fact which nobody here can deny that the Governor has over and over again in private conversation ridiculed the charter as it first passed the Assembly, and that he is personally of the opinion that it is unconstitutional, by reason of its cumulative voting feature. He is, however, a shrewd politician, and knows right well that the republicans in both houses would be exceedingly delighted if he were to veto it. Many of the majority voted for it because they wanted to be put right on the so-called reform record, and at the same time get rid of a very disagreeable responsibility; and if the Governor would only be kind enough to shoulder the entire responsibility of its utter failure they would come out with flying colors, and have a good opportunity of pitching into the Chief Magistrate for his "opposition to the popular will." THE GOVERNOR'S ACTION DOUBTFUL.

Now I have it from the very best authority that the Governor will not gratify the patriotic anxiety of the majority. He will not veto the bill, but he will never consent to put his name to it; in other words, he will allow the legal ten days to pass by without taking any action upon it whatever, thus permitting it to become a law by default. There is only one chance against a hundred in from the Court of Appeals, before the expiration of the allotted ten days, an opinion adverse to the constitutionality of the cumulating voting clause. If he can obtain this he certainly will not hesitate to send in a crushing veto message, knowing that the two houses, under the circumstances, will be compelled to sustain the veto. Of course it has not been the custom in past years for a Governor who was in doubt about the constitutionality of a bill awaiting his signature to

GO TO THE COURT OF APPEALS and get their opinion about the matter before taking a decisive step for or against the measure. But Mr. Hoffman has taken this way of getting the best of the Legislature once this session, and his suc-cess was such a brilliant one, because of its novelty as much as anything else, that if he feels that he has a good chance in the present instance to repeat the victory, and with a more crushing weight than ever, it is reasonable to suppose that he will not hesitate to avail himself of the grand opportunity. Yet right in the face of this chance stands the written onlying of Professor Dwight in face of

hesitate to avail himself of the grand opportunity. Yet right in the face of this chance stands the written opinion of Professor Dwight in favor of the constitutionality of the cumulative feature of the charter. The time that now remains for the Court of Appeals to take hold of the question and decide it before the DAYS OF GRACE FOR THE GOVERNOR expire is very short; and it is generally conceded to be entirely too short to allow them to carefully digest the constitutionality of the bill. The Committee of Seventy are doing their best to "sound" the Judges of the Court on the subject, but they very properly decline to say what they think about the matter, on the ground that at some future time the question may come up before them for adjudication. Mr. Wheeler, the representative of the committee here, who has determined, "Come weal, come woe," to remain at the capital until the agony is over and the triumph of the reformers is made complete by the bill becoming a law, does not seem to share the opinion of those who believe that the Governor will veto it. He agrees with the majority of the Legislature, that the ten days will be allowed to expire and the bill be allowed to become a law without the Governor The Ism Competited to the same necessary to be overcome in order to insure the bill becoming a law, but it is not probable that even he will be able to turn the tide if it should once set in from the Executive office "dead" against the charter.

The situation therefore can be summed up in a

even he will be able to turn the tide if it should once set in from the Executive office "dead" against the charter.

The situation therefore can be summed up in a few words. The Governor will veto the bill if he can get the assurance of the Court of Appeals that it is unconstitutional. If he cannot, rather than shoulder the blame of prolonging the term of the Legislature, which, in case of a veto on his own responsibility, would be compelled to go to workhanew on another charter or make such amendments to the present one as would be agreeable to the people, he will allow it to become a law by

KEEPING IT IN HIS POCKET

during the ten days; for it is generally conceded that a two-thirds vote to override the veto in the lower House cannot be obtained, notwithstanding the strong vote by which the bill was passed. In the meantime the friends of the charter are hoping against hope, and its opponents are busly engaged in building up every possible barrier to its ultimate success. By Monday week the ten days will be up; if a veto does not come in by that time the Committee of Seventy will be indeed out of the woods, and can afford to sing pages of victory with good and sufficient cause. come in by that time the Committee of Seventy be indeed out of the woods, and can afford to peas of victory with good and sufficient cause. THE NEXT BEST SCHEME—RAPID TRANSIT.

be indeed out of the woods, and can afford to sing peas of victory with good and sufficient cause. THE NEXT BEST SCHEME—RAPID TRANSIT.

Now that the charter is disposed of, the next thing for the Legislature to provide for the city of New York, and what the people need even more than a new charter, is the system of rapid transit from the Battery to Harlem river. In this connection it may be stated that a compromise will likely be effected, by which the plan that will be adopted for sinking the track on Fourth avenue to Harlem river will be substantially the tunnel system instead of the open cut. The question is now pending in the Assembly. It will be up again next week, and it is understood that the compromise will be effected in the meantime. In that case the measure will speedily pass both houses. The other scheme of Vanderbilt's, that of constructing an underground rallroad from Fifty-unth street to City Hail Park, which was adopted in the Senate yesterday, was sent to the Railroad Committee of the Assembly to-day, and will soon be reported favorably. It is a foregone conclusion that this measure will pass the lower house without much delay, because it is believed that as soon as the franchise is obtained Vanderbilt will proceed to construct the franchise. What they want is quick communication. A New SCHEME

was presented to the Assembly this evening, and one which could not fail to be perfectly satisfactory to the people if properly carried out. Mr. Moulton introduced a bill which proposes that the people of the city shall take the subject into their own hands, and the city construct such railroads for providing rapid transit as competent engineers shall recommend, the roads to be owned by the divand run for the accommodation and interests of the public. The bill provides that Andrew H. Green, George M. Van Nort and William B. Ogden, with two persons to be appointed by the Governor of the State, and two by the Mayor of the city, shall constitute a board of commissioners for the purpose of carrying out the w

is to have reference to the passenger circulation as it shall be presumed to exist in the year 1880, and shall provide for the equal accommodation of the cast and west sides of the city. It shall be devised upon an estimated cost, the interest of which, with the working expenses, shall be within the estimated revenues of the roads. As far as practicable the ROUTES SHALL BE ALONG EXISTING STREETS and avenues. It is made necessary for at least five of the Commissioners to sign the report recommending the plan and routes, and then it must be approved by two-thirds of the Commissioners, and also by the Mayor and Governor. The plan and routes being thus selected and approved, the Commissioners shall proceed to construct the work. They are authorized to appoint a chief engineer and all necessary assistants, officers and agents. These railroads are declared to be public highways of the city of New York; a public stock, to be called "The City Railway Fund," bearing seven per cent interest and redeemable in fifty years, is to be created, in order to raise the estimated amount of money required to carry on and complete the work. When the roads shall have beef completed they may either be operated or leased by the Commissioners.

A Seven cent farm.

The rate of fare shall not exceed seven cents for the whole distance and five cents for any distance above or below Seventy-second street. The fare is to be reduced from time to time as the financial condition of the roads may permit, until it reaches a uniform rate of three cents for the whole route. The bill provides that the question shall be submitted to the people of the city of New York at the next election, which, according to the new charter, is fixed for May 1, 1872.

Mr. Madden in the Senate and Mr. Whitbeck in the Assembly this evening introduced a supplementary bill to the Vladuct Railroad act, which allows the company to acquire property they desire to use for the purpose of the road as property is obtained under the General Railroad act. The bill indiretly extend

now by the advocates of each will in the end count for nothing.

THE NEW JURY BILL.

The Senate Judiciary Committee to-day reported favorably, and without amendments, the Assembly bill advocated by Judge Bedford and Recorder Hackett, in relation to the qualifications of jurors, and the bill providing for the holding of two sittings at the same by the Court of General Sessions. The jury bill is an excellent one, and when it becomes a law Ignorance and stupidity will no longer be the Infailible guarantee that a man can act conscientiously as a jursr. Intelligent men, who will persist in reading the newspapers and keeping posted as to the way the world wags, will at the same time not be at such a discount in the eyes of "learned counsel" as they are now, and ridiculous verdicts will be diminished as a natural consequence.

The joint caucus of the republican members fixed for this afternoon did not take place, for the very good reason that the members did not show up. The fact is there is a screw loose somewhere, and after the experience of the caucus last night the independent.

The fact is there is a screw loose somewhere, and after the experience of the caucus last night the independent members do not feel inclined to put their heads in the noose. The dodge of endeavoring to folst private bills on the caucus, to be supported in the two Houses as political bills, was "too much of a good thing" to be stomached with ease. Hence the failure of the secret talk that was to be.

ROUGH ON SOMEBOPY.

The COURT OF APPEALS—
ROUGH ON SOMEBOPY.

The COURT Of Appeals has at last decided the mooted question of the Broadway Widening and Straightening Scheme. The case, it will be remembered, was brought by one of the property owners, who felt aggrieved at his property being taken away from him and only one-half of its real value being allowed him. In making the decision on the case the Court holds that the confirmation of the report of the commissioners to award to owners the valuation of land taken, and to make assessments or benefits, was a judicial act; that Doe, like any other judgment act, was subject to be set aside for fraud in procuring the order; that the facts in the case proved that the order of confirmation was procuved by fraud; and that, therefore, the Special Term were right in vacating it, and that the order of the Special Term was rightfully affirmed by the General Term.

THE ELECTION BILL.

The Election bill, which has given rise to such a scare among the pothouse politicians in New York city, and their devoted servants, the professional repeaters, reached a final vote to-day in the Senate It was passed by 19 to 4-Messrs. Johnson, Lord, Cook and Tiemann, all democrats, voting in the negative. This bill, in its original form, it should be negative. This bill, in its original form, it should be borne in mind, was ordered to a third reading in the Assembly a few days ago, but as the Senate has put into it several amendments that the Assembly bill does not contain it has been decided in caucus that the Assembly to-morrow substitute the bill as amended by the Senate in lieu of the original and unamended bill ordered to a third reading in the lower house, and pass it without making any further amendments.

amendments.

The bill as presented in the Assembly was published in full in the Herald on the 10th January last. In its present shape it leaves unchanged almost all the iron-clad tests and cumbrous machinery as therein provided. The most important changes are made in the first section, which is as follows in the bill about to pass:— SEC. 1.—Hereafter all officers to be elected by the people in the city and county of New York, except Governor, Lleutenant Governor, Chief Judge and Associate Judges of the Court of Appeals, Justices of the Supreme Court, Secretary of State, Comptroller, State Tressurer, Attorney General, State Engineer and Surveyor, Canal Commissioners, Inspectors of State Prisons, District Attorney, Justices of the Superior Court of New York, Judges of the Court of Common Pleas of New York, Justices of the Marine Court of the city of New York, Senators, Members of Assembly, Sheriff of the city and county of New York, Police Justices and Justices of the District Courts, Clerk of the city and county of New York, Register of the city and county of New York, Register of the city and county of New York, Register of President and Congress, and Electors of Prosident and occal election to be held on the fourth Tuesday, and as a local election to be held on the second Tuesday in April in any such year, and in such years thereafter as are of man to designated by law, at a local election to be held on the second Tuesday in April in any such year.

second Tuesday in April in any such year.

The second section provides that all election days, for all purposes whatever, as regards the presenting for payment or acceptance, and of the presenting and giving notice of the dishonor of bills of exchange, bank checks and promissory notes, made after the passage of this act, be treated and considered as is the first day of the week, commonly called Sunday.

The bill keeps in force all the penalties of imprisonment for false counting and fraudulent voting, making these offences felonies. The parts of the act establishing the permanent registration machinery will not take effect until after the coming charter election.

PROCEEDINGS OF THE LEGISLATURE

ALBANY, April 19, 1872. REPORTS.

Fixing the compensation of jurors in New York regulating challeges of jurors in criminal cases; to prevent and punish fraudulent practices; to provide for the government of the city of Brooklyn; provide for the government of the city of Brooklyn; for paying the expense of constructing sewers in Brooklyn; to incorporate the St. Canisius College; to authorize a double session of the Court of General Sessions of the Peace for New York; to amend the charter of the Foundling Asylum of the Sisters of Charlty in New York; in relation to the College of the City of New York.

The bill regulating the manufacture and quality of gas was reported adversely and the report agreed to.

To authorize the Pacific Mail Steamship Company to redeem its stock; to authorize steam towage on

to redeem its stock; to authorize steam towage on canais. On motion this bill was passed. On motion the adverse report on the Central Un-derground Railroad bill was laid on the table by a

derground Railr vote of 15 to 12. Note of 15 to 12.

By Mr. Tiemann—An act to establish St. Paul's church at Rome, Italy, by a board of trustees in New York city.

The Senate then resolved to hold an evening session for the consideration of general orders, and took a recess until half-past seven o'clock P. M.

Evening Session.

REFORTS.

In favor of extending the piers in front of the Wall street stores, Brooklyn.

To incorporate the village of Yonkers.

ABOLISHING IMPRISONMENT FOR DEBT.

Mr. Silas M. Stillwell, to whom the people of the State are indebted for the law abolishing imprisonment for debt, sends another memorial to the Legislature asking that the intent of the original act shall be carried out, and that there shall hereafter be no imprisonment for debt of any kind. He recites the fact that forty years ago he initiated this movement, and asks that it may now be perfected so that, to use his own phrase, "then my task will be finished."

GENERAL ORDERS.

The New York Warehouse and Railroad bill was considered at length in Committee of the Whole. The committee reported progress without having gone through with the bill.

Adouted

ALBANY, April 19, 1872. PUNISHMENT OF BRIBERY AND CORRUPTION AT ELEC-

Mr. Jacons rose to what he regarded as a privileged question. Last year the Legislature had passed a joint resolution proposing an amendment to the constitution, which provided for the punishment of bribery and corruption at elections. Under the constitution this Legislature must pass upon the same question in order that it may be submitted to the people next fall. His attention had been

particularly called to the matter by a petition from citizens of Montgomery county, which he would present, and at the same time ask some one of the majority what was proposed to be done in the

majority what was proposed to be done in the matter.

Mr. ALVORD assured the gentleman that the matter had not been overlooked, and that he would call for the consideration of the proposed amendment to-day or to-morrow.

The House then went into committee and disposed of the following bills as noted:

To authorize the Southside Long Island Railroad Company to extend its branches and use steam dummies. Third reading.

To provide for retiring the capital stock of certain life insurance companies, and distributing the profits of their business among the policy holders. Progressed.

To incorporate the Hunter's Point and Flushing Railroad Company. Third reading.

To provide for the construction of life saving stations on the coast of Long Island. Third reading.

To amend the act for the relief of the Brooklyn, winglei, and Newton Railroad Company. Third feading.

Mr. HART moved the following amendment:-SECTION 7.—No consents given or obtained prior to January 1, 1871, under the act authorizing town subscriptions, passed April, 1889, shall be binding or valid except in towns where said consents were completed prior to January 1, 1871; nor shall any such consents so obtained prior to such time be used for the purpose of bonding any town as specified in said act and the several acts amendatory thereof. The provisions of this act shall not apply to towns where the bonds were actually issued prior to January 1, 1872.

Mr. Forr opposed this amendment strenuously and Mr. Hart sustained it with equal force. The amendment was adopted and the bill reported to the House.

In the House Mr. Forr moved to recommit the bill, with instructions to strike out the amendment, and proceeded to oppose it again on the ground that it was extremely unjust.

Mr. Harr responded that all that was asked was that the consents obtained prior to January 1, 1871, be declared invalid, because they were obtained through fraud.

that the consents obtained prior to January 1, 1871, be declared invalid, because they were obtained through fraud.

After further discussion the question was taken on Mr. Fort's amendment, under the operation of the previous question, and it was adopted—86 to 42—and the bill was ordered to a third reading.

To promote marksmanship among the National Guards, appropriating \$25,000 for the purpose.

This bill elicited speeches from Messrs. Moseley, Alvord, Houghton of Saratoga, Smyth and others, filled with patriotic sentiments and views of farreaching prescience, who laid before the House the pressing necessity for fostering a military spirit among the people. Mr. Griffin and Ira D. Brown opposed the bill. After further discussion the bill was ordered to a third reading.

Mr. SMILEY, from the Printing Committee, submitted a report of their investigation of the matter of public printing. The committee concluded by saying that, though they are not disposed to recommend an abrogation of the existing contract for public printing, yet they deem it proper to suggest that at its expiration, or whenever another shall be executed, that the proposals for doing the state printing be advertised upon the same basis, and that each bidder shall not be allowed to put in an entirely different proposition based upon different calculations from his competitors, thus avoiding the competition which seems to be necessary in order that the work may be procured at moderate prices. The committee also say that though the present contract is vague they have secured no evidence showing that there has been any abuse or violation of its provisions in the matter of charges, nor anything that indicates it. In fact, they say it would be difficult to tell what would prove a violation of its provisions. The report also says the following facts are clearly established in the minds of the combinatorium.

Committee:—
First—That gross abuses have existed in the matter of public printing, lithography and purchases of stationary for the State.

Second—That undue and corrupt influences have been used on the part of Abbany printers and lithographers in indusering the procurement of work from public officers, making precision of the part of Abbany printers and lithographers in indusering the procurement of work from public officers, making precision of the part of the procure of the procu First-That gross abuses have existed in the matter of ubble printing, lithography and purchases of stationary within such contract.

Sixth-That, parily because of the abuses hereinbefore specified the State printing has, since 1801, with the exception of one or two years, steadily increased, until it now amounts to more gain double that year.

amounts to more than double that year.

GENERAL ORDERS.

The House, in committee, resumed the consideration of bills on general orders. The following were ordered to a third reading:—

Authorizing the city of Oswego to borrow money for city purposes; authorizing an appropriation for mounted batteries in the various counties of the State; amending the charter of the Cornell University as to the admission of pupils.

THE NEW YORK FOLICE JUSTICES.

Mr. FLAMMER moved that the Committee on the Judiciary be discharged from the further consideration of Mr. Foley's bill to remove the Police Justices in New York, and that the same be reported to the House.

House. After some discussion as to the delay in reporting, n which personalities were indulged in, the resoluin which personalities were indulged in, the resolu-tion was laid on the table.

A large number of local bills were reported, after which the House took a recess until half-past seven P. M.

Evening Session.

BILLS INTRODUCED.

By Mr. WHITBECK—Amendatory of the act of 1871 incorporating the New York Railway Company, for the purpose of providing rapid transit through New York city and county and Westchester county. The bill provides that in case the company cannot agree with property owners with respect to compensation, then the compensation shall be determined in the manner provided for by the railway incorporating act.

with property order to the property of the pro

pointed thereby. Other similar provisions are contained in the bill.

THE INSURANCE INVESTIGATION.

Mr. Lippitt, from the Committee on Insurance, submitted a report on the case of Superintendent Miller. It contains over a thousand pages of testimony and a very lengthy summing up of the same. The report concludes as follows:—

Your committee have herein fully expressed their opinions upon the various points of this investigation, without prejudice against the Superintendent, and yet with a destre fully and fairly to represent the testimony. Possibly different individuals, equally honest, may arrive at different conclusions. The laws in relation to the examination of insurance companies are very lax, and abuses have grown up under them which the Legislature should at once correct, by the passage of adequate and stringent laws, as suggested in the body of the report. Whether the Superintendent has been guilty of intentional violation of law, and whether or not he should be removed from office, are questions which we leave to the consideration and wisdom of the House. In conclusion your committee desires to say that, to their minds, it has been proved, among other things, to their minds, it has leave to the consideration and wisdom of the House. In conclusion your committee desires to say that, to their minds, it has leen proved, among other things, to their minds, it has leen proved.

your committee desires to say that, to their minds, it has been proved, among other things, to their entire satisfaction—

First—That the said Superintendent has received and appropriated to his own use the fee of one-fifth of one percent on the transfer of securities, which he claims he is legally entitled to.

Second—That he has, without authority of law, received and in some cases charged for his own use sums largely in excess of his legitimate expenses in making special examinations of companies, and that he has likewise received large sums in payment for his services in making such examinations.

Third—That he has allowed clerks in the department, who are paid regular salaries by the State, to charge and other examinations.

Third—That he cxcessive fees for making special and other examinations, who have received large and excessive fees, entailing great expense upon the companies examinations, who have received large and excessive fees, entailing great expense upon the companies, entailing great expense upon the companies to make saminations, who have received large and excessive fees, entailing great expense upon the companies to make the properties of the companies and favorites with the Superintendent, to obtain examinations and protect the interests of their companies, and the payment of large sums for their personal influence in that behalf.

Sixth—That he testimony tends to show that he has received through H. C. Southwick, Jr., a commission of twenty per cent on the printing of the Insurance Department.

Seconds—That he has withheld from the State Treasury the fees belonging to the department, and which should

ment.

Seconth—That he has withheld from the State Treasury
the fees belonging to the department, and which should
have been pair into the State Treasury within a reasonable time.

Eighth—That \$20,000 was raised by seven companies for
improper legislative purposes last winter to secure the
passage of what was known as the Miller Life act, a bill
conferring extraordinary powers upon the Superintendent, and that the Superintendent was cognizant of the
use thereof.

dent, and that the Superintendent was cognizant of the use thereof.

J. W. LIPPITT, Chairman.
W. W. KNOS.
J. N. BABCOCK.
A. L. VAN DUSEN.
F. W. TOBEY.

Mr. TOBEY offered the following:—

Resolved, If the Senate concur that George W. Miller be and he is hereby removed from the office of Superintendent of the Insurance Department in pursuance of the provisions of chapter 335 of the laws of 1867.

Resolved, That the Attorney General, if, in his opinion, the Superintendent is not entitled thereto, be and he is hereby requested to institute legal proceedings to compel the said Superintendent to pay into the State Freasury the

fee of one-fifth of one per cent, provided by law to be paid by insurance companies on the transfer of securities under the provisions of the Supply Bill of 1870.

under the provisions of the Supply Bill of 1870.

Mr. Tobey then moved that the report and resolutions, together with the testimony, be printed and placed upon the desks of members and made the special order for next Veducsday morning, which was carried by 90 to 5.

Mr. AITMEN, of the committee, announced that he would present a minority report.

Mr. ALVORD offered a concurrent resolution that the Senate and Assembly agree to the proposed amendment to the constitution relative to bribery.

posed amendment to the constitution relative to bribery.

The question was taken on the resolution, and it was adopted—yeas, \$4; nays, none.

GENERAL ORDERS.

The following bills were ordered to a third read-

ing:—
Amending the Oswego Police act.
To make provision for local government in the city and county of New York for the year 1872.
Progress was reported on this bill, and it was made a special order for Tuesday next, on motion of Mr.

Campbell.

To extend the powers of notaries public in the city and county of New York and in the county of Kings.

To incorporate the New York Loan and Real Esternative Campany.

To incorporate the New York Loan and Real Estate Company.

To amend the charter of the Eric Dock Basin Company of Brooklyn by increasing its capital from \$1,000.000 to \$2,000.000.

Mr. Folley moved to make the amount \$650,000, which may be increased to \$2,000,000, and which shall be regarded as personal property and transferable. Carried.

To incorporate the Staten Island and New Jersey Ferry Company.

Amending the charter of the Newtown and Astoria Railroad Company.

To authorize and require the New York and Harlem Railroad Company to extend their tracks through certain streets of New York for the use of small cars only.

small cars only.

To amend and extend the charter of the Bankers'
Life Insurance Company of New York.

AMUSEMENTS.

The Academy of Music. Donizetti's great opera "Lucrezia Borgia" was

presented last night at the Academy of Music to a remarkably brilliant andience. The house was well filled, we might almost say crowded, giving the best evidence of the unabated interest of the public in operatic representations. It is due to the present management to say that they have made efforts and some sacrifices in the cause of art. Whatever may be the shortcomings of the company at present assembled in the Academy of Music, there can be no question that it presents an array of talent such as cannot be easily gathered together. The performance last night when regarded as a whole, was something more than satisfactory, but he would be an enthusiastic admirer who should pronounce it faultless. At the same time, when we weigh with strict justice what was excellent and what was faulty, we are compelied to acknowledge that the good largely predominates. There are those who cannot comprehend the true mission of criticism, and who unreasonably think that there can be no middle course between perfection and worthessness. The first is never reached, and with artists such as we have now at the Academy it is impossible that a performance should be absolutely wanting in merit. But the powers upon which a singer must base his reputation are subject to the influence of such common accident as change of weather, and it can scarcely be considered a reproach to chronicle that certain artists suffer from hoarseness, a natural cause, which is known to affect temporarily the excellence of their performance. We have thought it well to refer to this mal-comprehension of the scope of criticism, because in pointing out with the independence which characterizes the critics of the Herald defects which to our mind marred performances otherwise excellent, certain persons have found cause of complaint, and certain others grounds for absolute condemnation, such as is not justified by the facts of the case. The presentation of "Lucrezia Borgia" last night was marked by a richness and appropriateness of appointment calculated to give effectiveness to the piece. Excellent and brilliant as is the music, this oppra is scarcely fitted to display the full talent of the company at its best. The role of Don Alfonso fails to afford Santley scope for the exercise of his powers. Only three characters seem to have full play, although a less eminent artist than Santley would, no doubt, find ample room to make even a reputation in the part. But when we know that a man is capable of better things we cannot be content to listen to him doing simply well. In the rendering of the case, which is peculiarly his gift. Nor did he fail to awake the enthusiasm of the audience by his brilliant executions. The role gave him solves such as only mark his best cfrorts. In the oncerted pieces he was escened in what was excellent and what was faulty, we are compelled to acknowledge that the good largely predominates. There are those who cannot com

Grand Testimonial Concert. On Tuesday evening, April 30, a grand testimonial oncert will be tendered at Steinway Hall to Mme. concert win be tendered at Steinway Han to Ame.

Manzocchi. The programme will furnish a rich
treat to the musical public. Among the well-known
artists who will appear on the occasion are Adelaide Phillips, Mme. Elder: Signor Brignoll, Signor
Ferranti, Mr. S. B. Mills (piano), George W. Morgan
(organ), Mile. Adelaide Manzocchi (pianiste). Conductors and directors, Lindsay Sloper and Signor
Maestro Marrotta. With such an array of talented
artistes the highest expectations can scarcely fail
of folinment.

Philharmonic Rehearsal. The first public rehearsal for the sixth and last concert of the season of the Philharmonic Society took place yesterday afternoon at the Academy of Music. There were three orchestral works on the programme—Schubert's Symphony in C, Andante, from the trio, opus 97 of Beethoven, with Liszt's orchestration, and a symphonic poem, "Mazeppa," by Liszt. The lovely tone poem of Schubert, the dream of a musical enthusiast, is an old acquaintance of the New York public, and an everwelcome one, too. Although we question the taste or judgment that would select a Beethoven trio for a large orchestra, yet it cannot be denied that Liszt's instrumentation is marvellous in every respect. The kaleidoscope could not show greater variety in color than does the crazy Abbé in treatment of the simple theme of Beethoven. Many years have passed since Theodore Thomas introduced "Mazeppa" here at one of his symphony soirées. It is a fair example of the composer's peculiar style and of which the divine art will come to should the school of "the music of the future" prevail. Miss Cary, contraito, and Mr. Hoffmann, planist, will be the soloists at the next concert, and therefore we may expect an operatic aris and a concerto by Mozart or Beethoven. programme-Schubert's Symphony in C, Andante,

Mrs. John Wood appeared again last evening in Burnand's burlesque, "Poll and Partner Joe." She piayed the principal part, Mary Maybred, in her played the principal part, Mary Maybred, in her usual dashing and frolicsome manner, and was frequently applauded. Noticeable among the other performers were Miss Jennie Lee, Messrs, G. W. Anson, A. W. Young and C. H. Morton. By way of intertude in the second act of the burlesque, Simmon's and Slocum's Minstreis, from Philadelphia, sang comic ballads and proposed laughable conundrums after the ludicrous fashion of their kind. The dresses in the burlesque were showy and the mise en scène was creditable to the management.

Matinees To-Day. A choice banquet of musical and dramatic attrac tions is offered to the metropolitan public this afternoon, as may be seen from the following announce noon, as may be seen from the following announcements:—Academy of Music, "Il Trovatore;" Fifth Avenue, "Article 47;" Booth's, "Plot and Passion;" Olympic, "Humpty Dumpty;" Niblo's, "Foll and Partner Joe;" Grand Opera House, "Lalla Rookh;" Comique, "Black Eyed Susan;" Union Square, the Vokes Family; St. James, "Hibernicon;" Lina Edwin's, "Little Don Giovanni;" Brooklyn Theatre, "Divorce;" Bryant's, "Julia Sneezer;" Robinson's Hail, Little Oille Goldsmith; Tony Pastor's and Thirty-fourth Street Theatre.

WASHINGTON.

Civil Service Reform Sent to Limbo.

BUTLER BLUFFS GARFIELD.

Why Steamers Are Exploded—An Inquiry.

The President's Ku Klux Message.

British Mixed Claims Commission.

THE CANADIANS AND THE CANALS.

That Amazing Oil Freight Conspiracy.

WASHINGTON, April 19, 1872. Message from the President on the Ku Klux. The President transmitted the following message

to the House to-day:-

The President transmitted the following message to the House to-day:—

To the House of Representatives:—

In answer to the resolution of the House of Representatives of January 25, I have the honor to submit the following, accompanied by the report of the Attorney General, to whom the resolution was referred:—

Representations having been made to me that in certain portions of South Carolina a condition of lawlessness and terror existed, I requested the then Attorney General (Akerman) to visit the State, and, after personal examination, to report to me the facts in relation to the subject. On the 16th of October last he addressed a communication from South Carolina, in which he stated that in the counties of Spartanburg, York, Chester, Union, Laurens, Newbury, Fairfield, Lancaster and Chesterfield there were combinations for the purpose of preventing the free political actions of citizens who were friendly to the constitution and the government of the United States, and of depriving the emancipated class of the equal protection of the laws. These combinations embrace at least two-thirds of the active white men of those counties, and have the sympathy and countenance of the majority of the other third. They are connected with similar combinations in other counties and States, and no doubt are part of a grand system of criminal associations pervading most of the Southern States. The members are bound to obedience and scarcey by oaths which they are taught to regard as of higher obligation than the lawful oaths taken before civil magistrates; they are organize d and armed; they effect their objects by person al violence, often extending te murder; they terrify witnesses: they control juries in the State Courts, and sometimes in the Courts of the United States and by credible private clizens I am justified in affirming that the instances of criminal violence perpetrated by these combinations within the last twelve months in the above named counties could be reckoned by thousands.

I received information of a simila

The subject of civil service reform gave us another lively scene in the House to-day. This nished the entertainment. The interest in this subject has increased with the discussion of it. Had it been the appropriation asked for, instead of the passage of the bill, which is thought by many in favor of reform to be objectionable in some of its features, especially that one making it a penal offence for a member of Congress to recommend an appointment in the civil service, it would probably have passed. Mr. Garfield, in making the closing speech paid his especial attention to the member from Massachusetts, Mr. Butler. In Mr. Butler's speech, yesterday, he charged all who supported this agitation with being the enemies of the administration, that the opponents of General Grant had inaugurated the movement, &c. To-day, in reply, Mr. Garfield said the remarks of the gen tleman had left the painful impression upon his mind that perhaps he might be speaking upon authority, and to satisfy himself in regard to it he went to see the President, so that he might be satisfied in regard to the matter. At this point Mr. Butler rose to his feet and made the point of order that a member had no right to repeat a conversation with the President in deate, to which Mr. Garffeld replied that the House of Representatives was not a Middlesex Criminal Court, and the rules governing there could not be applied here. "No," Mr. Butler replied, "if they did there would be more order and decorum than are now preserved." Mr. Garfield replied that he had hoped it would have been preserved upon this occasion; but the gentleman from Massachusetts had not allowed it to be done. Mr. Butler then challenged Mr. Garfield to explain his position in regard to the Cincinnati movement, and when that gentleman declined to "allow himself to be brought out on anybody's race course in that way" the derisive smiles and shrugs implied a victory for Butler. The scene was very exciting and noisy several times, and the sparring between the two gentlemen at the time appeared to assume a threatening phase; but it passed off without accident, and the bill was recommitted to the committee by a vote of

Steamboat Explosions Inquiry-The Oceanus Disaster. The disaster to the steamer Oceanus, by which so

many lives were lost, has again awakened an interest among officials here to provide some way for practically testing steam boilers to ascertain the cause of explosions. Justice Bradley, of the United States Supreme Court, has addressed a long letter to Secretary Boutwell on this subject, advocating an appropriation by Congress for making such experiments. He suggests that a board be constituted for the purpose of experimenting and to care fully note the result of their labor. This letter has been sent to Mr. Chandler, Chairman of the Senate Committee on Commerce, with Secretary Boutwell's endorsement, to the effect that the subject is one of great importance to the country, as it concerns the safe transportation of property and the security of life upon steamboats and railways. He commends the plan for the consideration of the committee, heartily approving Justice Bradley's suggestions William Rogers, Supervising Inspector for the New Orleans district, has been directed to conduct the investigation into the cause of the explosion of the Oceanus, to be assisted by Frank Burnett, Supervising Inspector of the St. Louis district.

The Robeson Investigation.

The Navai Investigating Committee met to-night. Mr. Corliss tried to prove that the machinery for the Saco failed only in the boilers. Chief Engineer Isherwood was recalled and stated his conversation with Mr. Sargent, also a conversation with Mr. Robeson, both on the Roach contract for the Tennessee compound engines. In the one he accused his superior officer of stealing \$500,00

in the second with the superior officer he said nothing about the government being wronged—not a very straightforward record for Mr. Isherwood. John Roach was recalled and said he would sell the old machinery of the Tennessee for \$35,000. Sena-tor Cragin testified that he told Charles Secor the acceptance of the \$115,000 appropriation would not bar his further claims on the government. Secretary Robeson said he wanted to call the pay-

master to explain the \$500 discrepancy between the voucher and check in the payment for the loss of the Governor, and also to question Mr. Cattell.

The committee, at half-past ten P. M., adjourned till Monday night, when it is understood they will close the investigation.

The French Arms Inquiry.

The Senate Arms Committee to-day recalled General Franklin, general agent of the Colt Arms Company, and examined him as to his former testigony concerning the exchange of Gatlin guns, the government having been supplied with superior guns for those sold to Remington. He was examined at length by Senator Schurz in relation to the connection of government ordnance officers with this and other transactions. The government paid for the new guns only what they obtained for Mr. C. K. McGowan, clerk in the Ordnance Office,

New York, was called and examined as to the Gatlin gun transaction.

Mr. Hamlin, Chairman of the Committee, stated

that they had concluded the examination of witnesses, and only awaited a communication from Colonel Benet.

The Marquis de Chambrun said he had received a letter from Paris stating that the substance of the telegram of February 9, published in this country, appeared in the Journal de Paris. This telegram was to the effect that the National Assembly had passed a resolution asking information from the United States as to the connection of American officials with the sale of arms. M. Chambrun said the fact of the telegram appearing in that journal was verified by the French Minister of Foreign Af-

The committee closed its public session, and will meet at the call of its chairm

The Kanucks and the Canals. The effort made in the Dominion Parliament to

agitate the St. Clair Canal question has caused the Engineers' Bureau to overhaul all of its official records on the boundary line between the United States and Canada. The maps sent to Congress in 1828 from the State Department contain the boundary as defined by Commissioners Porter and Bar-clay in accordance with the provisions of the sixth article of the Treaty of Ghent. The canal was located to the westward of the line by the engineers, and when the question arose as to its actual position the territory was resurveyed by General Comstock and the correctness of the lines verified. The twenty-seventh article of the Treaty of Washington confirms the stand taken by the United States.

The British Mixed Commission. The British-American Claims Commission meets to-morrow for the disposal of a large number of cases involving small amounts. The commission meets again next week, probably for the last time until next fall.

The Smith Lock-Up. Charles A. Meigs, bank examiner in New York, is still here in relation to the locking up of funds in the Tenth National Bank of that city. He is preparing another report on the subject for the House Committee on Banking and Currency.

The United States steamer Mohican has arrived at San Francisco from Central America. Orders have been sent directing her to proceed East.

The Bursted Oil Freight Swindle. P. H. Watson, President of the South Improvement Company, was again before the House Commerce Committee this morning. He testified that those representing one-half the oil production had approved the South Improvement plan, but he declined to give their names, lest damage to their lives and property might ensue. Freights were advanced about the 1st of March through a mistake of railroad managers, in New York particularly, of New York Central and Lake Shore and Michigan Southern Railroads, and not by order of the South Improvement Company. Repayment was afterwards made to shippers by New York lines. The laws of that State forbid railroads from combining to raise freights, but opinion was largely expressed that his (Watson's) company could contract separately with each road, and thereby evade the laws. The South Improvement controlled all the transportation by rail from the oil region, and would have received drawbacks on all oil shipped by any one. If part of the producers had gone in others would have been forced in. He thought the arrangement would have benefited producers and refiners, but not consumers. The comcontrolling the export trade. No definite provision was made for disposal of the contemplated \$6,000,000 profit on drawbacks. He produced evidence of the cancellation of contracts with railroads. When disclose the nature of the proposed monopoly. Another hearing will probably take place on

Civilians Operating Against Indians. Attorney General Williams has given an opinion o the War Department to the effect that civilians who attach themselves to an army going upon an expedition against hostile Indians are amenable to

military jurisdiction and trial by court martial. Writs of Habeas Corpus by State Author-ities in Federal Cases. The War Department has just published the opinion of the Supreme Court of the United States for the information of all concerned, denying the jurisdiction of State courts to issue a writ of habeas corpus for the

discharge of a person held under the authority or claim or color of the authority of the United States by an officer of the government, when that fact appears upon application for the writ, or to continue proceedings under the writ when issued, after the information in this respect has been given in the return of the writ by the officer having the cus-

The Bowen-De Large Case. The Committee on Elections to-day decided to grant De Large thirty days delay in which to take

additional testimony.

The Japs and the Navy Yards. The representatives of the Japanese navy have received permission from the Navy Department to visit and inspect our Navy Yards and Naval

The Navy Department Examining Board. The Secretary of the Navy has appointed as the Examining Board of the Navy Department, in accordance with the recommendation of the Civil Service Advisory Board, Captain David Ammen Chief of the Bureau of Navigation, Holmes E. Office Chief Clerk, and John W. Hogg Disbursing Clerk.

Duty on Tin Plates. Several Representatives have received inquiries as to the duty proposed in the House Tariff bill on as to the daty proposed in the House Tarin bin dot tin plate. The same language is used in the bill that was used in the act of June, 1864—"Tin plates and iron galvanized or coated with any metal by electric batteries or otherwise," on which the duty is proposed to be reduced from the present rate of two and one-half cents per pound to two cents per pound. Tin in plates is unchanged, and pays a duty of twenty-five per cent ad valorem.

Presidential Nominations. The President to-day sent the following nominations to the Senate:—
Thomas Cole, Collector of Customs, Saco, Me., and H. P. Newton, Postmaster, Oswego, Kau.

THE FIRST DEFENDERS. POTTSVILLE, Pa., April 19, 1872. The First Defenders celebrated the eleventh anni-

versary of the arrival of troops at Washington, in 1861, by a meeting and banquet last evening. An oration was delivered by Captain John T. Boyle. The First Defenders are composed of the survivors of the National Light infantry and the Washington artillery.

LOUISIANA STATE DEMOCRATIC CONVENTION. NEW ORLEANS, April 19, 1872.

In the Democratic State Convention to-day J. R. Head, of Bienville parish, was elected President. The day was consumed in discussion.

The following despatch was received and will be read before the Convention to-morrow:—

Our friends here think it would be good policy to defe the democratic nominations until after the Covention it incinnati. FRANK P. BLAIR.